

REMARKS

In response to the Office Action mailed on September 25, 2007, Applicants amended claim 37, cancelled claims 1-36, and added new claims 43-78. Claims 37-78 are presented for examination.

Applicants affirm the election of Group II.¹

The Examiner rejected claims 37-41 under U.S.C. §112 ¶2 as being indefinite. Applicants amended independent claim 37 to obviate this rejection, so this rejection should be withdrawn.

The Examiner rejected claims 37, 40, and 41 under U.S.C. §102(b) as being anticipated by Morehouse, Jr. et al., US 3,615,972 ("Morehouse"). As amended, claims 37, 40, and 41 cover compositions including a plurality of particles in a carrier fluid. Morehouse does not disclose or suggest such compositions. Morehouse discloses a thermoplastic resinous particle encapsulating at least one liquid body within the particle, where the particle is for use in fields including insulation, decoration, packing, packaging, electrical insulation, and the like. (See, e.g., Morehouse, col. 1, lines 8-16 and 50-54.) Nowhere does Morehouse disclose or suggest his particle is in a carrier fluid. Therefore, Applicants request reconsideration and withdrawal of the rejection of claims 37, 40, and 41 under 35 U.S.C. §102(b) as being anticipated by Morehouse.

Applicants believe the application is in condition for allowance, which action is requested.

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¹ Applicants do not, however, agree with the manner in which the Examiner has characterized the subject matter covered by the claims in Groups I and II. In addition, Applicants note that claim 42, which was added via a preliminary amendment filed on March 2, 2004, is pending and depends from claim 37.

Applicant : DiCarlo et al.
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Page : 9 of 9

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Respectfully submitted,

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